

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 504 of 2003(C)

CRA.68/2002 of SESSIONS COURT, KOTTAYAM
CC.256/2000 of CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM

REVN. PETITIONER: APPELLANT/ACCUSED

K.J.JOHNSON, KOCHUPARAMBIL,
E-10-B, EXCHANGE PALAI, (FROM KOCHUPARAMBIL
MELUKAVU, ERATTUPETTA, KOTTAYAM)

BY ADV. SRI.P.BABU KUMAR

RESPONDENTS: RESPONDENT/COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY
DIRECTOR OF PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.
 2. RAVIKUMAR P.K., PICHANATTU HOUSE,
MOOLAVATTOM P.O KOTTAYAM.

R2 BY ADV. SRI.LIJL.J.VADAKEDOM
R1 BY PUBLIC PROSECUTOR SRI.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 04/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.T. SANKARAN, J.

Crl.R.P.NO. 504 OF 2003

Dated this the 4th day of December, 2006

O R D E R

The petitioner was found guilty for the offence under Section 138 of the Negotiable Instruments Act and he was sentenced to undergo simple imprisonment for three months and was directed to pay a fine of Rs.25,000/- and in default, to undergo simple imprisonment for three months. On appeal by the accused, the Appellate Court confirmed the conviction and sentence and dismissed the appeal.

2. Crl.M.A. No.12420 of 2006, signed by the complainant and the accused and their counsel, filed under Section 147 of the Negotiable Instruments Act was allowed.

Accordingly, the Criminal Revision Petition is allowed, the conviction and sentence imposed on the

CRL.R.P.NO.504 OF 2003

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petitioner are set aside and the petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

(K. T. SANKARAN)
Judge

ahz/

K.T. SANKARAN, J.

Cr1.M.A.NO. 12420 OF 2006

Dated this the 4th day of December, 2006

O R D E R

This is an application under Section 147 of the Negotiable Instruments Act, seeking to compound the offence under Section 138 of the Act. The application is signed by the revision petitioner/accused and the second respondent/complainant. It is stated that the revision petitioner/accused has paid the entire amount due to the second respondent. Hence the application is allowed.

(K.T. SANKARAN)
Judge

ahz/